

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Sri K. Raghuram, formerly Agriculture Officer and Control Inspector, O/o. JDA, Visakhapatnam trapped by the ACB Prosecuted in the Court of Special Judge for ACB Cases, Visakhapatnam in C.C.No.62/2000 and Acquitted – Criminal Appeal No.412/2006 filed in the Hon'ble A.P.High Court on the Acquittal Judgment – Judgment delivered by the Hon'ble High Court confirming the judgment of the Hon'ble Court of Special Judge for ACB Cases, Visakhapatnam – Examined – Further action dropped in Criminal Charge against him – Orders – Issued.

AGRICULTURE AND COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.255.

Dated:18-04-2015.
Read the following:-

1. From the DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 29.9.95 & 3.5.96.
2. Pro. of Dir of Agriculture, A.P., Hyderabad, No.Estt.VIII(4)960/95, dt.24.10.1995 .
3. From the DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 3.5.96.
4. G.O.Ms.No.193, A&C (Agri.I) Dept., dated: 8.7.1996..
5. From the DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 10.3.1999.
6. G.O.Ms.No.109, A&C (Agri.I) Dept., dated: 23.4.1999.
7. From the DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 18.3.2002.
8. Judgment of Hon'ble SPE & ACB Court, Visakhapatnam, dt. 14.2.2005 in CC No.62/2000.
9. From the DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 2.5.2005.
10. Govt.Memo.20058/Vig.I/97-11, dated: 16.8.2005.
11. DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 17.4.2006.
12. From Sri K. Raghuram, ADA (rtd), Sompeta, Srikakulam, dt.8.11.2014.
13. From DG, ACB, Hy. Lr. Rc.No.90/RCT.WVP/95, Dated: 25.12.2014. along with judgement of Hon'ble A.P.HighCourt in CrI. Appeal No./412/2006, dt.1.9.2014.

ORDER:

Whereas in the ref. 1st read above, it was informed by the DG, ACB, Hyderabad that Sri K. Raghuram, Agriculture Officer while he was working as Agrl Officer and Control Inspector, O/o. JDA, Visakhapatnam is involved in a case of moral turpitude and he was trapped by the officials of the A.C.B. on 25-9-1995.

2. And Whereas, he was placed under suspension by the Director of Agriculture, A.P., Hyderabad vide his proceedings 2nd read above from the date of communication to the C.O. i.e. 30.10.1995.

3. And whereas in the G.O.4th read above Govt sanctioned Prosecution orders to prosecute the accused officer in a Court of Law. In the ref.5th read above Director General, ACB, Hyderabad has informed that the Spl. Judge for A.C.B. Cases, Visakhapatnam has delivered its judgment in C.C.No.17/96 on 28-2-1998 and the accused officer is acquitted under section 248(1) Cr.P.C. and requested to permit the A.C.B. to an file appeal in the Hon'ble High Court on the acquittal judgment. Based on the judgment of the Spl. Judge for A.C.B. Visakhapatnam, the suspension of the accused officer has been revoked by the C&DA, vide Procds. No.Estt.(4)84/99, dt. 18-2-1999. and posting orders were issued on 28.3.1999 as A.O. Kothavalasa, Vizianagaram Dist. Subsequently he was promoted as ADA (R) Sompeta, Srikakulam Dist pending criminal charge.

4. And whereas In the G.O.6th read above , Govt have permitted the Standing Counsel for ACB to file an Appeal in the High Court of A.P. against the Judgment of Spl. Judge for ACB in CC.No.17/96 acquitting the accused officer Sri K. Raghu Ram Agriculture Officer. The D.G. ACB, in his letter 7th read above has stated that he filed Cr. Appeal No.837/99 in the High Court of A.P. and the Hon'ble High court ordered for re-opening of the fresh Trial by the Lower Court, at visakhapatnam. The fresh trial was re-opened by the Spl. Judge for ACB cases at Visakhapatnam vide new C.C.No.62/2000 (old 17/96) as ordered by the Honble High Court.

(P.T.O)

5. And whereas in the ref. 8th read above, the Spl. Judge for ACB Cases Visakhapatnam has delivered his judgment on 14-2-2005 in C.C.No.62/2000 (old C.C.No.17/96) that the accused officer is found not guilty of the charges under Sections 7 and 13(2) read with 13(1) of the Prevention of Corruption Act, 1988 and he is acquitted under Section 248(1) of Cr.P.C. from criminal charge stating that the Prosecution failed to prove beyond reasonable doubt that the amount of Rs.1000/- was paid by the complainant as bribe to the accused officer and A.O. received it as bribe.

6. And whereas in the ref. 10th read above, permission was accorded to the D.G., A.C.B., Hyderabad for filing Crl Appeal of in the High Court of A.P. against the acquittal judgment of Spl. Judge for ACB in CCNo.62/2000 dt. 14.2.2005. Accordingly, the ACB Officials have filed Crl Appeal No.412/2006 before the Hon'ble A.P. High Court of A.P. Challenging the acquittal of the A.O. Sri K. Raghuram,

7. And whereas Sri K. Raghuram, A.D.A has retired from service on attaining the age of superannuation on 31.1.2008 as ADA @, Sompeta, Srikakulam District pending criminal appeal file by the DG, ACB, Hyderabad No.412/2006.

8. And whereas Govt have sanctioned provisional pension 75% from the normal eligible pension to him vide G.O.Rt.No.1004, A&C (Vig.I) Dept., Dated: 18.8.2009 w. e. f. 1.2.2008 without prejudice to the outcome of criminal proceedings pending against him.

9. Now, the DG, ACB, Hyderabad while enclosing the judgment of Hon'ble A.P. High Court, Hyderabad dt.1.9.2014 in Criminal Appeal No.412/2006 the acquittal judgment of ACB Court, Visakhapatnam has reported that the Hon'ble A.P. High Court of A.P., Hyderabad was dismissed Crl. Appeal No.412/2006 confirming the Judgment of the Trial Court, Visakhapatnam delivered in the case of Sri K. Raghuram, formerly A.O. and Control Inspector, O/o. JDA, Visakhapatnam District. The DG, ACB has also reported that the Bureau is of the opinion that there are no grounds to prefer an appeal in the Supreme Court of India against the orders of the High Court of A.P., Hyderabad and requested to communicate the Govt orders in the matter at an early date.

10. In his letter 12th read above, Sri K. Raghuram, ADA(Rtd) has requested to drop further action besides regularizing his suspension period so as to enable to draw his pensioner benefits as he was retired long back 31.01.2008 as he was not paid any benefits except provisional pension.

11. Government have examined the case in detail taking into consideration of the remarks of the DG, A.C.B.A.P., Hyderabad and with ref. to the material available on records has decided and hereby dropped further action against Sri K.Raghuram, formerly Agriculture Officer and Control Inspector, O/o. JDA, Visakhapatnam and retired from service as Asst Director of Agriculture, Sompeta, Srikakulam Dist besides treating the suspension period w.e.f. 31.10.1995 to 28.3.1999 as Duty under F.R.54-B (3) as he was fully acquitted from the criminal charge by the Spl. Judge for SPE ACB Court, Visakhapatnam and confirm the same by the Hon'ble High Court in Crl. Appeal 412/2006. Dt.1.9.2014.

12. The Commissioner and Director of Agriculture, A.P., Hyderabad shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T. VIJAY KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The individual through the C&DA, A.P., Hyderabad
The C&DA, A.P., Hyderabad.
Copyto:: The DG, ACB, A.P., Hyderabad.
The Secretary, A.P. V.C., Sectt. Bldgs, Hyd.
SF/SCs.

// FORWARDED BY ORDER //

SECTION OFFICER